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SENATE BILL NO. 720

Offered January 17, 2008

A BILL to amend and reenact § 33.1-56.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 33.1-56.2:1, relating to HOT lanes.

Patron—Barker

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That § 33.1-56.1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 33.1-56.2:1 as follows:

§ 33.1-56.1. Definitions.

For purposes of this ~~section~~ article:

"Board" means the Commonwealth Transportation Board;

"High-occupancy requirement" means the number of persons required to be traveling in a vehicle for the vehicle to use HOT lanes without the payment of a toll. Emergency vehicles, law-enforcement vehicles using HOT lanes in the performance of their duties, and transit and commuter buses shall meet the high-occupancy requirement for HOT lanes, regardless of the number of occupants in the vehicle;

"High-occupancy toll lanes" or "HOT lanes" means a portion of a highway containing one or more travel lanes separated from other lanes, that is accessed through an electronic toll collection system, provides for free passage by vehicles carrying a certain number of persons, and contains a photo-enforcement system for use in such electronic toll collection. HOT lanes shall not be a "toll facility" or "HOV lanes" for the purposes of any other provision of law or regulation;

"HOT lanes operator" means the operator of the facility containing HOT lanes, which may include the Virginia Department of Transportation or some other entity;

"Owner" means the registered owner of a vehicle on record with the Department of Motor Vehicles, or with the equivalent agency in another state. "Owner" does not mean a vehicle rental or vehicle leasing company; and

"Photo-enforcement system" means a sensor installed in conjunction with a toll collection device to detect the presence of a vehicle that automatically produces one or more photographs, one or more microphotographs, a videotape, or other recorded images of each vehicle's license plate at the time it is detected by the toll collection device.

§ 33.1-56.2:1. *HOT lane construction contracts.*

Any contract for the construction of any additional lanes on Interstate Route 95 or Interstate Route 395 in or between Arlington County and Spotsylvania County shall specify that average vehicle speeds of at least 45 miles per hour shall be maintained along Interstate Route 95 or Interstate Route 395 between the Capital Beltway and the southern terminus of the HOT lanes on Interstate Route 95. The contract shall specify monetary penalties to be paid by the contractor or operator of the HOT lanes if and when these average vehicle speeds are not met.

INTRODUCED

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